

OCA FILE

REMIT #

OCA FILE SSCI Bfg 25 Jun 87  
REMIT #OCA 87-2717  
25 June 1987

## MEMORANDUM FOR THE RECORD

SUBJECT: Second Counterterrorist Hearing for SSCI Dealing With  
Extraterritorial Jurisdiction Cases by Department of Justice,  
Thursday, 25 June 1987

The SSCI scheduled a second counterterrorist hearing on 25 June 1987, chaired by Senator Specter, to review legal issues in the U.S. effort to apprehend and try terrorists. The session dealt primarily with extraterritorial jurisdiction cases. Vicki Toensing, Deputy Assistant Attorney General, Criminal Division, Department of Justice, was the principal witness. The Senator requested that the Agency be present to answer any questions on areas in which intelligence has supported the Justice Department.

25X1 The hearing was held from 1650 to 1740 hours with Department of Justice officers and the U.S. District Attorney for the District of Columbia answering questions raised by Senator Specter. Senator DeConcini also attended a portion of the briefing. CIA officers were present, but were not asked to comment at any time during the hearing. These representatives included [redacted] from the Agency. SSCI staff members present were Charles Battaglia, Bob Morgan, George Tenet, Jim Dykstra, John Nelson, Blythe Thomas, Jeanne McNaughton and Natalie Bocock. Fred Ward was the reporter.

Justice officers reviewed about six cases in which terrorists were identified and legal action was taken against them by foreign governments. They went into detail about indictments or detaining orders outstanding against these individuals, explaining in each case how prosecution would possibly fare in the U.S. A few general references were made to instances in which enforcement and intelligence organizations worked closely on certain cases. The Chairman asked the witnesses about the possibility of developing legal cases against Abu Nidal and Abu Abbas.

The result of Justice testimony was a realistic account of the difficulty involved in developing a U.S. court case to pursue leading terrorists. The Chairman, however, continued to speculate on the possibility of devoting significant intelligence and Justice resources to "big targets" -- like Abu Nidal -- as a curb to international terrorism.

25X1 Senator Specter indicated an interest in continuing the hearing at a future time.

25X1 Attachment: List of Witnesses

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